UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/663,598	09/16/2003	Gerald Winton Lankford	1578.109 (11119-US-PAT)	3266

54120 7590 03/08/2007			EXAMINER	
RESEARCH IN MOTION, LTD			KARIKARI, KWASI	
102 DECKER CT.				
SUITE 180			ART UNIT	PAPER NUMBER
IRVING, TX 75062			2617	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	10/663,598	LANKFORD, GERALD WINTON
	Examiner	Art Unit	
	Kwasi Karikari	2617	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>26 January 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-7,9-11 and 13-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) <u>1-7,9-11 and 13-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   The Art Unit location of your application in the USPTO has changed. To aid in

correlating any papers for this application, all further correspondence regarding this

application should be directed to Art Unit 2617.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

01/26/2007 has been entered.

Response to Arguments

4.   Applicant's arguments with respect to claims 1-7,9-11 and 13-20 have been

considered but are moot in view of the new ground(s) of rejection.

Claim Objections

5.   Claim 1 is objected to because of the following informalities: Applicant uses

"packet date" in claim 1, line 2. Examiner suggests using "packet data" as in claim 13.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-7,9-11 and 13-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claims 1 and 13 the applicant recites the limitations "said respective gateways", however, there are insufficient prior antecedent basis for these limitations in the claims. For examination purposes, the examiner will treat the proceeding claimed limitations in light of applicant's specification. Appropriate corrections are required.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-7,9-11 and 13-20 are rejected under U.S.C. 103(a) as being anticipated by Sanchez Ferreras et al., (U.S. 20050118998 A1), (hereinafter Sanchez) in view of Aerrabotu et al., (U.S. 20040190522 A1), (hereinafter Aerrabotu).

Regarding **claims 1 and 13,** Sanchez discloses an apparatus for a communication

system having multiple portions, said apparatus comprises:

a detector (processor 4 detects and reads all the information that passes through

it, see Pars. [0005] and [0045]) adapted to receive values of positional information

associated with mobile nodes (mobile network can detect mobile terminals, see Par.

[0017]), during operation thereof to communicate by way of network portions (HLR, VLR

and gateway 2) in whose coverage area that the mobile nodes, respectively, are

positioned said detector configured to form indications of the values of the positional

information (processor 4 continuous reads information exchange, see Par. [0025]);

an associator adapted to receive the indications formed by said detector of the

values of the positional information (analyzer 6, collects information, analyzes

information of a location changes, see Par. [0006 and 0029]), said associator

configured to associate position of each of the mobile nodes with corresponding

respective network portion (the information are report such that terminals can obtain

service while they are in foreign network, see Pars. [0023-25] and [0029]), respectively,

through which communication are effectuated, thereby to identify roaming relationship

between each of the mobile nodes and the corresponding network portion when the

mobile nodes are roaming (foreign networks) and

a storage element coupled to said associator, said storage element configured to

store values representative of associations formed by said associator, the values

together forming a roaming network table indicating the roaming relationships (the

database 7 has information of which subscribers are located in a foreign network,

see Par. [0026] and the database incorporates a log table which could be updated with

a each network change, see Pars. [0041-42, 0012 and 0033]), the value forming entries,

the mobile nodes identified in terms of their respective home network portion (see Pars.

0029, 0043 and 0047) and individual one of the entries deleted when aged beyond a

selected age (subscriber's entry and exit information at the network are periodically

eliminated from the log table, and the possibility of a periodic cleaning of data stored in

the log, see Pars. [0013 and 0055]; whereby the cleaning and updating are associated

with "deleting network entries when aged" and the log is being associated with the

"roaming network table"), the roaming network table accessible to identify the roaming

relationships identified therein (the database 7 has information of which subscribers are

located in a foreign network, see Par. [0026] and the database incorporates a log table

which could be updated with a each network change, see Pars. [0012, 0041-42, 0032-

36]), usable subsequently to determine roaming capability of selected coverage areas of

selected network portions (see Pars. [0036-37 and 0046]).

Sanchez does discloses a roaming network but fails specifically to teach that the

network is a packet data network and the network is connected other network by the

way of a respective gateway.

However, Aerrabotu teaches a mobile network including an Emergency Packet

Data Network (E-PDN) coupled to gateways SGSN and GGSN (see Pars. [0011-12 and

0021-23]; whereby the E-PDN is being associated with the "packet data network" and

the SGSN and GGSN are being associated with the "respective gateway").

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Aerrabotu with Sanchez's system in achieving a system that provides call connection as well as preventing authorized use of the system (see Aerrabou; Par. 0011).

Regarding **claims 2 and 14,** Sanchez further discloses the apparatus of claims 1 and 15 wherein each mobile nodes (mobile terminals, see Par. [0017 and 0025]) has an identifier (subscriber's profile, see Pars. [0021 and 0043]) associated therewith and wherein said detector is further adapted to receive the identifier and for detecting values thereof (processor 4 continuous reads information exchange, see Par. [0025]).

Regarding **claims 3 and 15**, as recited in claims 2 and 14, Sanchez teaches mobile terminals, (see Par. [0017 and 0025]), but fails wherein the radio communication system comprises a cellular radio communication system that provides for GPRS (General Packet Radio Service).

Aerrabotu teaches that the International Mobile Subscriber Identity (IMSI) is used as the mobile station identity in GPRS attach procedure when the mobile station does not have a SIM in a packet-switched data domain (see Pars. [0010] and [0014] respectively).

It would therefore have been obvious to one of the ordinary skill in the art to combine the teaching of Aerrabotu with Sanchez's system in achieving a system that provides call connection as well as preventing authorized use of the system

(see Aerrabou; Par. 0011).

Regarding **claims 4 and 16**, as recited in claims 3 and 15, Sanchez further teaches the apparatus/method wherein at least the portion of the IMSI number (MSISDN which correspond to the mobile telephone number, see Par. [0043]) includes a Mobile Network Code (MNC) (the country code of the network in which it is located, see Par. [0043]), the Mobile Network Code identifying a home network portion associated with each mobile (mobile terminals, see Par. [0017 and 0025]) node; the home network portion of the multiple network portions (consultation is made at the HLR and VLR when the subscriber enter into a new network, see Par. [0037]).

Regarding **claims 5 and 17**, as recited in claims 3 and 15 Sanchez further disclose apparatus/method wherein the IMSI number (MSISDN which correspond to the mobile telephone number, see Par. [0043]) includes a Mobile Country Code (MCC) and wherein the at least the portion of the IMSI number of which said detector detects the values comprises the Mobile Country Code; and at least the portion of the IMSI number comprises a mobile country code (the country code of the network in which it is located, see Par. [0043]).

Regarding **claims 6 and 9**, Sanchez further discloses an apparatus as recited in claims 1 and 15, wherein each node registers with a network portion of the multiple network portions (HLR, VLR and gateway 2) at selected times (location update every time

mobile terminal changes location, see Page 2, line [0021]) and wherein the positional

information detected by said detector is communicated by each mobile node (mobile

terminals, see Par. [0017 and 0025]) pursuant to registration with the network part; the

roaming network table further includes an indication of a time at which the values

representative of the associations are stored at said storage element; and the roaming

table further comprises identifying times at which values are entered thereat (table

contains date of the last location update, see Pars. [0018, 0020-23, 0043-45 and 0049]).

Regarding **claim 7**, as recited in claim in claim 1, Sanchez teaches mobile terminals

(see Par. [0017 and 0025]), but fails to disclose wherein communications of the mobile

node are formatted into messages, the messages having header parts, and wherein the

positional information detected by said detector is embodied in the header parts of the

messages.

Aerrabotu teaches an incoming call IP address for device and the regulating

packet flow which is use for Internet messaging subsystem (see Par. [0016])

It would therefore have been obvious to one of the ordinary skill in the art to

combine the teaching of Aerrabotu with Sanchez's system in achieving a system that

provides call connection as well as preventing authorized use of the system

(see Aerrabou; Par. 0011).

Regarding **claim 10**, as recited in claim 9, Sanchez further discloses a roaming network

table further includes and indication of time at which the values representative of the

associations are stored at said storage element, when aged beyond the selected age

(subscriber's entry and exit information at the network are periodically

eliminated/updated from the log table, see Par. [0055]),

Regarding **claim 11**, as recited in claim 10, Sanchez further discloses wherein said

roaming entry deleter deletes values of the roaming network (foreign network) table

stored thereat for longer than a selected time period, the selected time period identifying

aging beyond the selected age (subscriber's entry and exit information at the network

are periodically eliminated from the log table, see Pars. [0013 and 0055]),

Regarding **claim 18**, Sanchez further discloses an apparatus as recited in claims 1 and

15, wherein each node registers with a network portion of the multiple network portions

(HLR, VLR and gateway 2) at selected times (location update every time mobile

terminal changes location, see Page 2, line [0021]) and wherein the positional

information detected by said detector is communicated by each mobile node (mobile

terminals, see Par. [0017 and 0025]) pursuant to registration with the network part; the

roaming network table further includes an indication of a time at which the values

representative of the associations are stored at said storage element; and the roaming

table further comprises identifying times at which values are entered thereat (table

contains date of the last location update, see Pars. [0018, 0020-23, 0043-45 and 0049]).

Regarding **claim 19,** recited in claim 18, Sanchez further discloses the operations of

accessing the roaming network table and determining the roaming relationships

indicated therein (see Page 3, lines [0032-0036]).

Regarding **claim 20**, as recited in claim 13, Sanchez further discloses the operation of

deleting entries out of the roaming network table once aged beyond the selected age

(subscriber's entry and exit information at the network are periodically eliminated from

the log table, see Pars. [0013 and 0055]).

Conclusion

8.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Froula (U.S. 6,356,767) teaches a method and apparatus for controlling mobile access

to a wireless communication system.

AMIN et al., (U.S. 20020086671 A1) teaches a roaming authorization system
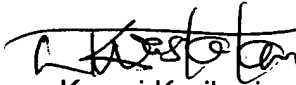
Dufva et al. (U.S. 20040087315 A1) teach a location services interworking with

intelligent network.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kwasi Karikari whose telephone number is

571-272-8566. The examiner can normally be reached on M-F (8 am - 4pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8566.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Kwasi Karikari
Patent Examiner.
03/02/2007

JEAN GELIN
PRIMARY EXAMINER